

JJ
110th Congress
2nd Session

Castor

Hastings (FL)

H. RES.

H.R. 1424 – Paul Wellstone Mental Health and Addiction Equity Act of 2007

1. Closed rule.
2. Provides two hours of debate in the House with 40 minutes equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Energy and Commerce, 40 minutes equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Ways and Means, and 40 minutes equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Education and Labor.
3. Waives all points of order against consideration of the bill except those arising under clauses 9 and 10 of rule XXI.
4. Provides that the bill shall be considered as read.
5. Provides that in lieu of the amendments recommended by the Committees on Energy and Commerce, Ways and Means, and Education and Labor, the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted.
6. Waives all points of order against provisions of the bill, as amended. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure).
7. Provides one motion to recommit with or without instructions.
8. Provides that in the engrossment of H.R. 1424, the text of H.R. 493, as passed the House, shall be added at the end of H.R. 1424.
9. Provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

RESOLUTION

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1424) to amend section 712 of the Employee Retirement Income Security Act of 1974, section 2705 of the Public Health Service Act, and section 9812 of the Internal Revenue Code of 1986 to require equity in the provision of mental health and substance-related disorder benefits under group health plans. The bill shall be considered as read. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. In lieu of the amendments recommended by the Committees on Energy and Commerce, Ways and Means, and Education and Labor, the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) two hours of debate equally divided among and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, the chairman and ranking minority member of the Committee on Ways and Means, and the chairman and ranking minority member of the Committee on Education and Labor; and (2) one motion to recommit with or without instructions.

Sec. 2. In the engrossment of H.R. 1424, the Clerk shall--

- (a) add the text of H.R. 493, as passed by the House, as new matter at the end of H.R. 1424;
- (b) conform the title of H.R. 1424 to reflect the addition to the engrossment of H.R. 493;
- (c) assign appropriate designations to provisions within the engrossment; and
- (d) conform provisions for short titles within the engrossment.

Sec. 3. During consideration of H.R. 1424 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

SUMMARY OF THE AMENDMENT IN THE NATURE OF A SUBSTITUTE PROPOSED TO BE CONSIDERED AS ADOPTED

The Amendment in the Nature of a Substitute expands the Mental Health Parity Act of 1996 to provide for equity in the terms of employer sponsored health benefits for mental health and substance-related disorders compared to medical and surgical disorders. It ensures that health plans do not charge higher copayments, coinsurance, deductibles, and impose maximum out-of-pocket limits and lower day and visit limits on mental health and addiction care than for medical and surgical benefits. The Department of Health and Human Services, the Department of Labor, and the Internal Revenue Service can penalize insurers for discriminatory practices in plan design under this bill and individuals may sue in court to obtain promised benefits. It includes an increase in the rebate, or discount, that pharmaceutical companies are required to provide to State Medicaid programs for drugs provided to Medicaid beneficiaries. It includes language to prohibit physicians from referring patients to hospitals in which they have an ownership interest, but also provides the ability to grandfather and grow existing physician-owned hospitals.